

NOTICE

The Child Support Recovery Unit is beginning action to establish support for the child(ren) named in the attached legal Notice. It is important that you read all of the attached documents very carefully to find out when and how you should respond to this legal action.

Failure to provide the requested information may result in a support obligation being set based on the information available and may not be based on actual income. If you have any questions, call the child support office listed below.

AVISO

La Child Support Recovery Unit (Unidad de Recuperación de mantenimiento de niños) esta iniciando acción para establecer apoyo de dicho niño(s) cuyo nombre aparece en el Aviso Legal adjunto. Es importante que lean todo el documento adjunto con mucho cuidado para saber cuando y como se deberá responder a la acción legal.

Fallar en proporcionar la información pedida puede resultar en que una obligación de mantenimiento sea formulada basandose en la información disponible y puede no estar basada en el ingreso actual. Si se tienen preguntas al respecto, llamar la oficina de child support cuyos numeros de telefono y direccion aparecen a continuación.

THÔNG CÁO

Đơn Vị Đòi Tiền Cấp Dưỡng Cho Con (The Child Support Recovery Unit) bắt đầu thừa kiện để xác minh cho việc cấp dưỡng cho con (các con) có tên trong bản Thông Cáo về luật pháp đính kèm. Rất là quan trọng rằng bạn đọc rất cẩn thận hết tất cả những tài liệu đính kèm để tìm ra khi nào và cách nào bạn phải trả lời về việc thừa kiện này.

Sự thiếu sót cung cấp tin tức đòi hỏi có thể đưa đến kết quả của sự bắt buộc cấp dưỡng dựa trên tin tức có thể có được và có thể không dựa trên căn bản tiền lương (lợi tức) có thật. Nếu bạn có bất cứ câu hỏi nào bạn hãy gọi văn phòng cấp dưỡng cho con liệt kê dưới đây.

Case Number: _____

**Notice of Support Debt: Foster Care
- Chapter 252C**

**Foster Care Recovery Unit
Iowa Department of Human Services**

Responsible Parent/Obligor: _____
Dependents: _____

Date Prepared: _____

Docket No. _____
County: _____
CSC No. _____

It is important that you read this notice, as the Foster Care Recovery Unit (the Unit) is beginning an action to establish a support obligation against you for the named dependents!

Iowa Code chapters 252C and 252E give the Unit the authority to establish child support and medical support obligations.¹ The Unit has personal jurisdiction over you.² Entry of a support order in Iowa will not violate 28 USC section 1738B.³

Your dependents are currently or were previously in foster care placement. As a result of public assistance or medical assistance provided to your dependents, the Unit intends to establish a support order requiring you to provide support as follows:

- ☐ **Child Support** The Unit intends to create an order requiring you to pay child support for the period of time that the dependents are in foster care.
- ☐ **Accrued Support** The Unit intends to create an order requiring you to pay accrued support including past public assistance in foster care placement paid out by the State of Iowa or any other state.
- ☐ **Medical Support** The Unit intends to create an order requiring you to provide medical support, according to Chapter 252E.⁴

The amount of the obligations will be set in accordance with the Child Support Guidelines under sections 598.21(4) and 252B.7A. Options available to the Unit for determining parents' income are explained below. If an order for medical or current support is entered, you will also be responsible for a proportionate share of uncovered medical expenses. **Please complete and return the enclosed financial statement to the Unit listed in this notice within 10 days of the date of this request.**

Failure to provide information and verification of financial circumstances shall result in an order entered against you. The establishment of this support debt by the Unit does not prohibit any caretaker or the Unit from seeking current, accrued, and/or medical support by any legal method, without showing a substantial change of circumstances.

Information About How Support Obligations Are Established The Unit is authorized by law to initiate and establish orders for support. In Iowa, support obligations are set using mandatory child support guidelines which consider the income of both parents.

The information below describes the options available to the Unit to determine each parent's income for the purpose of establishing a support obligation. None of the information on this page is intended to give you legal advice or change your rights. Failing to respond to this Notice of Support Debt or failing to return the financial statement will not stop the Unit from obtaining an order for support. Once an order is obtained, it will be enforced.

To determine the amount of support to be paid, the Unit will determine your income using one or more of the following sources:

1. *Financial Statement:* Iowa law requires parents to provide this type of information upon request of the Unit. A copy of your completed financial statement may be provided to the other parent.

Iowa's mandatory child support guidelines use net income, which allows for certain income deductions. You need to provide the most complete income information possible, so that the support award can be set based on your correct net income level. When complete and accurate information on your deductions is not available, the Unit will estimate deductions to be 20% of your gross earned income.

If you do not provide financial information within 10 days, the Unit will determine your income using one of the following methods.

2. *Other Sources of Income Information:* If you fail to return the financial statement or other requested information, or the information you provide appears incomplete or inaccurate, the Unit may obtain financial information from other sources. These sources include, but are not limited to, information from employers, payors of income, and other government agencies.

3. *Estimated Income:* If you do not return a completed financial statement and complete information about your income is not available from other sources, Iowa law allows the Unit to use median income for parents on the CSRU caseload or wage rate information based on last-known occupation.

☐ You may be required to attend a parenting class.⁵

Contesting this Notice If you wish to discuss or contest this action, you may ask for a conference with the Unit. You may ask for a court hearing even if you do not ask for a conference.

If you do not ask for a conference or a court hearing within the time limits discussed below, a support order will be established. Before the entry of this order, the Unit will provide to you in person, or by mail⁶, a worksheet showing how the amount of support was calculated.

Your Rights and Responsibilities To ask for a conference to discuss or contest the provisions of this notice, contact the Unit *within 10 days* of service of this notice.

The conference is an informal meeting in which you may ask questions and present information about your income. Bring a completed financial statement and proof of income to the conference. Bring information about any group or employment-related health benefit plans available to you.

Upon receiving your request, the Unit will notify you of the date, time, and location of the conference. After the conference, you will be provided with a new written notice showing the results of the conference. A Second Notice of Support Debt and Finding of Financial Responsibility,⁷ will be issued if any changes have occurred. You also may ask for a court hearing if you do not request a conference, or if you are dissatisfied with the results of the conference as stated on the Second Notice of Support Debt and Finding of Financial Responsibility. **If you wish to ask for a court hearing, send a written request to the Unit.** Upon receipt of a written request, the Unit will schedule a hearing. If you ask for a court hearing, state in writing any objections you have to this support debt.

You must ask for a court hearing by the latest of the following dates:

- **Within 30 days** from the date of service of this notice.
- **Within 10 days** from the date of the conference.
- **Within 30 days** from the date of issuance of the Second Notice of Support Debt and Finding of Financial Responsibility.

If a request for a court hearing is not received within these time limits, the Unit will establish an order as stated in this notice. If an order is established, your property will be subject to collection action including, but not limited to, income withholding, garnishment, attachment of a lien, execution of a lien, income tax setoff, levy of accounts at financial institutions and any other collection action allowed by law. It is your responsibility to notify the Foster Care Recovery Unit of any change in your address, employment or medical coverage.

If you have any questions, visit or telephone the Foster Care Recovery Unit or talk to an attorney.

Waiver of Rights You may waive your rights and the time limits allowed to request a conference and court hearing. If you wish to waive these rights, contact the Unit. Your signature on the order will acknowledge that you were served with this notice and have waived your rights and time limits for requesting a conference and court hearing.

FCRU Worker Name
FOSTER CARE RECOVERY UNIT
400 SW 8TH STREET
SUITE Q
DES MOINES, IA 50309-4692

Phone: _____

Copy to:

¹ The authority is defined in Iowa Code chapters 252C, 252E, and sections 232.4 and 234.39, and further defined in 28 USC 1738B, chapter 252K, if applicable and 441 IAC 95.98,99.

² ☐ because notice of this child support action was personally served on the Respondent in Iowa.

☐ because you lived in Iowa.

☐ because you lived in Iowa with the child(ren) from approximately _____ through _____.

☐ because you lived in Iowa from approximately _____ through _____, and provided prenatal expenses or support for the child(ren).

☐ because you caused the child(ren) to live in Iowa through the following action(s): _____

☐ because you had sexual intercourse in Iowa with the other parent which may have resulted in the conception of the following child(ren):

Child

Time Period of Possible Conception

_____	Through	_____
_____	Through	_____
_____	Through	_____
_____	Through	_____
_____	Through	_____

☐ because you claimed to be the other parent either through the declaration of paternity registry maintained by the Iowa Department of Public Health according to section 144.12A, or by completing a paternity affidavit according to section 252A.3A.

☐ because you have enough minimum contacts with the State of Iowa which are: _____

³ ☐ The Unit is not aware of any separate action for dissolution of marriage or child support, affecting you and the child(ren) named herein, which has started or which is pending in Iowa or another state.

☐ A separate action for dissolution of marriage or child support involving the Respondent and the same child(ren) has begun and the action is pending under Docket # _____ in the State of _____, _____ County. The Unit may continue, however, because this action complies with 28 USC section 1738B or chapter 252K.

☐ The Unit knows of the following support order(s) involving the Respondent as obligor and the named child(ren):

<u>State</u>	<u>County</u>	<u>Docket Number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

28 USC section 1738B and Iowa Code 252K prohibit the entry of a new support order that would run during the same time period as an existing order for support from another state.

☐ However, no individual contestant to the orders or the child(ren) currently live in any of the states that issued a support order. When this happens, a tribunal with jurisdiction must enter a new support order according to section 252K.207.

☐ However, any order listed above is for current support which has been either suspended or terminated, and/or is for past support for a different time period than the support obligation established in this action. There may be arrears under the existing orders listed above, but they are not at issue in this action.

☐ Neither the Respondent nor the caretaker has disclosed, and the Unit is unaware of, any existing child support orders involving the Respondent as obligor and the named child(ren).

⁴ You will be required to obtain an employment-related or other group health benefit plan for the dependent(s) if it is available to you when the order is entered or becomes available later. You may be required to provide some alternative or additional medical support, including a health benefit plan other than through an employer or other group, or a dollar amount for medical support.

⁵ This class must be approved by the Department of Human Services. Failure to provide proof of attendance to the Unit within 90 days of the entry of the order may result in modification of the support amount. Upon request of the Unit, you may be required to provide proof of continued compliance with this requirement.

⁶ sent to the last known address for you recorded by the Unit.

⁷ It will be given to you in person, or sent by regular mail to your last known address or the last known address of your attorney.